

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

|  |   |                       |
|--|---|-----------------------|
| ARBUTUS BIOPHARMA CORPORATION            | ) |                       |
| and GENEVANT SCIENCES GmbH,              | ) |                       |
|  | ) |                       |
| Plaintiffs,                              | ) |                       |
|  | ) |                       |
| v.                                       | ) | C.A. No. 22-252 (MSG) |
|  | ) |                       |
| MODERNA, INC. and MODERNATX, INC.        | ) |                       |
|  | ) |                       |
| Defendants.                              | ) |                       |
| <hr/> MODERNA, INC. and MODERNATX, INC., | ) |                       |
|  | ) |                       |
| Counterclaim-Plaintiffs,                 | ) |                       |
|  | ) |                       |
| v.                                       | ) |                       |
|  | ) |                       |
| ARBUTUS BIOPHARMA CORPORATION            | ) |                       |
| and GENEVANT SCIENCES GmbH,              | ) |                       |
|  | ) |                       |
| Counterclaim-Defendants.                 | ) |                       |

**DEFENDANTS’ MOTION AND [PROPOSED] ORDER TO SEAL  
PORTIONS OF PLAINTIFFS’ AMENDED COMPLAINT (D.I. 301)**

Pursuant to the Protective Order (D.I. 91) as modified by the Court’s November 14, 2023 Order (D.I. 155), Defendants Moderna, Inc. and ModernaTX, Inc. (“Moderna”) respectfully move this Court for an order granting leave to file partially redacted versions of Plaintiffs’ Amended Complaint for Patent Infringement (D.I. 301) (“Amended Complaint”).

Moderna’s motion and supporting papers redact for Moderna’s confidential information in paragraphs 56–58, 77–78, 98–99, 119–120, 143–144, 169–170, and 190–191 of the Amended Complaint, which include, reference, and/or quote, Moderna’s sensitive and confidential information. The grounds for the motion are set forth in Moderna’s brief in support of this motion, as well as the Declaration of Don Parsons attached thereto. A redacted version of the

Amended Complaint and a highlighted version showing the redactions to the Amended Complaint will also be attached to the brief.

WHEREFORE, Moderna respectfully requests that the Court grant Moderna's motion and enter the enclosed order granting leave to file a redacted version of the Amended Complaint.

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*/s/ Travis J. Murray*

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May 9, 2024

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|                                    | ) |                       |
| Counterclaim-Defendants.           | ) |                       |

**[PROPOSED] ORDER**

The Court, having considered Moderna's Motion to Seal (the "Motion"), IT IS HEREBY ORDERED this \_\_\_ day of \_\_\_\_\_, 2024 that the Motion is GRANTED.

Leave is given to file Plaintiffs' Amended Complaint for Patent Infringement (D.I. 301) in redacted form.

\_\_\_\_\_  
United States District Judge

**CERTIFICATE OF SERVICE**

I hereby certify that on May 9, 2024, I caused the foregoing to be electronically filed with the Clerk of the Court using CM/ECF, which will send notification of such filing to all registered participants.

I further certify that I caused copies of the foregoing document to be served on May 9, 2024, upon the following in the manner indicated:

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